

BOARD OF DESIGN REVIEW MINUTES

March 27, 2003

CALL TO ORDER: Chairman Mimi Doukas called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Mimi Doukas; Board Members Cecilia Antonio, Jennifer Shipley, Stewart Straus, and Jessica Weathers. Board Members Hal Beighley and Ronald Nardoza were excused.

Senior Planner John Osterberg, Associate Planner Liz Shotwell, Associate Planner Sambo Kirkman, Associate Planner Tyler Ryerson, and Recording Secretary Sandra Pearson represented staff.

VISITORS:

Chairman Doukas read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

NEW BUSINESS:

PUBLIC HEARINGS:

Chairman Doukas opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. She asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

A. DR 2003-0030 -- MERIDIAN VILLAGE TYPE 3 DESIGN REVIEW

The applicant requests Type 3 Design Review approval of a mixed-use residential and commercial development containing 65 town homes and 12 detached cluster homes intended for individual ownership. At the southeast corner of the site, three buildings containing approximately 8,700 square feet of retail and/or office space are proposed. Twelve apartment lofts, located above the commercial buildings, are also included

in this proposal which also involves review of the design of open space, private streets landscaping, and parking areas on the site. Design Review approval for Meridian Village (BDR 2000-0057) was granted on July 28, 2000, and this pending application includes revisions to the appearance of the buildings and minor landscape changes, but is essentially identical to the previously approved design. The development site is generally located on the north side of SW Baseline Road, and on both sides of SW Whitley Way, between SW 170th Avenue and SW 173rd Avenue, and is more specifically identified as Tax Lots 15800 through 25400 of the Washington County Assessor's Map 1S1-6AC. The affected parcels are zoned Station Community – High Density Residential (SC-HDR), and the site is approximately 4.7 acres in size.

Associate Planner Tyler Ryerson presented the Staff Report and briefly described the application for a Type 3 Design Review for a mixed-use residential and commercial development containing 65 townhomes and 12 detached cluster homes intended for individual ownership, and 12 apartment lofts located above commercial buildings, including associated open space, private streets landscaping, and parking areas. He mentioned that although Type 3 Design Review approval (BDR 2000-0057) had been granted previously on July 28, 2000, the applicant had allowed that approval to expire. He explained that while the pending application includes revisions to the appearance of the buildings, as well as minor landscape changes, it is basically identical to the previously-approved design. Observing that the plat has been recorded, he submitted the revised materials board, and entered into the record a Memorandum from himself, dated March 27, 2003, noting that this includes three additional exhibits, as follows:

- Exhibit 2.2. Facilities Review Technical Review and Recommendations, dated March 26, 2003;
- Exhibit 3.1.B Neighborhood Review Meeting Notes and transmittal to Five Oaks NAC Chairman, dated March 20, 2003; and
- Exhibit 4. Correspondence, including photographs, dated March 23, 2003, from Dave James.

Mr. Ryerson mentioned a revision to Condition of Approval No. 23, as follows:

23. The applicant shall meet the agreed acorn lighting installation schedule as outlined and signed by City of Beaverton staff and Emerald Development dated February 6, 2002. Attached as Exhibit ~~2.2~~ 2.1 of this Staff Report.

Observing that this essentially involves the same proposal that had been approved and had expired, he pointed out that the applicant has since decided to proceed with the project. Concluding, he recommended approval, based upon certain Conditions of Approval, and offered to respond to questions.

APPLICANT:

JERRY OFFER, representing *Otak, Inc.*, on behalf of the applicant, *Emerald Development Company, Inc.*, explained that this application is essentially a request for a re-approval due to the expiration of a previous approval. Observing that he is willing to provide a presentation, if necessary, he concurred with the Conditions of Approval recommended by staff, adding that the applicant anticipates starting on this project in May 2003. Concluding, he pointed out that the architect, Julie Morales, is available, and offered to respond to questions.

Ms. Antonio requested clarification with regard to any color changes.

Mr. Offer advised Ms. Antonio that the colors had been revised minimally.

Chairman Doukas questioned whether there is a story with regard to the bright yellow awnings.

Mr. Offer informed Chairman Doukas that the bright yellow awnings have been there for some time, observing that this basically calls attention to the different uses occurring in the area.

Mr. Straus requested a brief summarization of the revisions that have occurred and the applicant's rationale for these revisions.

Emphasizing that there have been no changes to the site plan, Mr. Offer explained that the revisions to the buildings are basically in response to situations that occurred during the permitting process.

JULIE MORALES, architect representing *Otak, Inc.*, on behalf of the applicant, *Emerald Development Company, Inc.*, pointed out that the basic change involves minor changes to the window arrangements in order to work with some of the structural requirements and observed that the sizes and arrangements of the windows are very similar to the original proposal.

Chairman Doukas requested further clarification with regard to the bright yellow awnings.

Noting that the yellow awnings had been there prior to her involvement on the project, Ms. Morales explained that this feature basically works with the brick and wood that is on the commercial buildings.

Ms. Shipley questioned whether the applicant has an overwhelming desire to retain this particular color for the awnings.

Mr. Offer advised Ms. Shipley that he is not aware of any particular reason for retaining this specific color.

Ms. Morales expressed her opinion that the yellow provides a nice contrast with the brick on the commercial buildings.

Chairman Doukas agreed that the yellow had gotten her attention, and questioned whether rendered elevations illustrating the awnings in context are available.

Ms. Morales informed Chairman Doukas that these illustrations are not available at this time, and explained that the canopy involved is basically a narrow strip that is not very tall.

Mr. Offer submitted a color copy illustrating the awning.

PUBLIC TESTIMONY:

ANTHONY BONFORIE, Development Consultant representing the applicant, *Emerald Development Company, Inc.*, expressed his opinion that Mr. Offer and Ms. Morales had covered the issues and offered to respond to questions.

Mr. Straus referred to a letter provided by Mr. Ryerson from a neighbor expressing concern with the appearance of the site, noting that this neighbor had indicated that there should be some Condition of Approval to address the situation, which involves parked cars, weeds, and debris. He explained that while he assumes that the applicant would make an effort to address these issues, this situation does not involve the approval process for this application and is beyond the scope of the Board of Design Review.

The public portion of the Public Hearing was closed.

Mr. Straus **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** DR 2003-0030 – Meridian Village Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated March 20, 2003, including Conditions of Approval Nos. 1 through 24.

CARRIED by the following roll call vote:

AYES:	Straus, Shipley, Antonio, Weathers, and Doukas.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Beighley and Nardozza.

6:55 p.m. – Mr. Ryerson left.

Observing that she is an employee of the applicant (WRG Design, Inc.) for the next proposal, Ms. Doukas recused herself from participating on this issue and passed the gavel to Vice-Chairman Straus.

B. DR 2003-0019 – THE ROUND: HEALTH CLUB LOFTS BUILDING MODIFICATIONS TYPE 3 DESIGN REVIEW

The applicant proposes modifications to the recently approved Health Club Lofts (DR 2002-0195) primarily by deleting the two levels of structured parking within the building. These modifications include the exterior elevation design of the building including removal of the driveway entrance to the building on SW Millikan Way, and revisions to some of the exterior colors and materials. The modification will reduce building height from 95 feet to approximately 78 feet and will increase the number of dwelling units from 53 to 60. The location of the proposed building is unchanged and will contain approximately 37,625 square feet of area for “24-Hour Fitness”. Although the parking for the Health Club Lofts is planned within a future parking structure abutting the site to the west, in the interim period, parking will be provided on surface parking lots within The Round, with revisions to the parking lots to be reviewed under a separate application. The proposal also modifies the grading plan previously approved under DR 2002-0209. The site is located within “The Round at Beaverton Central”, on the northwest corner of the intersection of SW Watson Avenue and SW Millikan Way, which are designated as Major Pedestrian Routes, on property more specifically described as Tax Lot 6600 of the Washington County Assessor’s Map 1S1-16AA. The affected parcel is zoned Regional Center – Transit Oriented (RC-TO), and is approximately 1.5 acres in size.

Senior Planner John Osterberg presented the Staff Report and briefly described the application for Type 3 Design Review of the Health Club Lofts Building associated with The Round. Observing that this request actually involves a modification to a recently-approved Design Review application for this building, he pointed out that since that time the applicant had submitted a modification that eliminates the two levels of structured parking. He explained that the revised building would be two stories lower and does not contain the obvious external elements that were present in the previous design that involved the parking structure. He noted that the applicant also proposes some other minor changes to colors and materials, as well as exterior design elements, resulting in a slightly different appearance from what had been originally proposed. He provided two new material and color boards, adding that the applicant would continue to utilize some of the materials from the previous design, including the glass and the brick veneer. Concluding, he stated that the application meets applicable approval criteria, recommended approval, including 17 Conditions of Approval, and offered to respond to questions.

APPLICANT:

DAVID CONVERSE, representing *Converse Architecture*, introduced himself and Tuan Lu, representing *Ankrom Moisan Associates Architects*, explained that following the recent approval, the applicant had become aware that they had not

considered some of the physical challenges that would be created by including the parking area in between the Health Club and the condominiums. He explained that the parking would be relocated out of the building, compressed, and reduced in height, adding that there would be an additional and more efficient parking structure directly between the lofts building and the existing office building at some future point.

Vice-Chairman Straus questioned whether Mr. Converse has a plan to refer to in order to provide better clarification.

Mr. Converse indicated the location for the proposed parking structure on an illustration from the original application, adding that the Traffic Department had expressed some concern with regard to the potential impact of vehicles exiting the structure on those vehicles utilizing a free right turn at that location.

TUAN LU briefly described the proposed architectural revisions to the building, observing that these changes basically involve additional glass and colors.

Mr. Converse stated that there have been meetings with staff, expressing his opinion that the new and improved version is more appropriate. Observing that he concurs with staff's recommended Conditions of Approval, he offered to respond to questions.

On question, Mr. Converse advised Ms. Antonio that this proposed parking structure has not yet been built, adding that it would include the same number of parking spaces as the originally proposed parking structure.

Vice-Chairman Straus expressed concern with the exposed brace detailing at the corners, expressing his opinion that the appearance reflects more of a downtown brewery block than the themes currently utilized at The Round. He requested clarification with regard to how the applicant anticipates that the remaining buildings would tie into this design.

Mr. Converse advised Vice-Chairman Straus that one of the applicant's design goals is to develop an architectural vocabulary with the materials that are being utilized, adding that this includes the same brick that is utilized on the condominiums located across the light rail. He explained that the applicant is attempting to create buildings that relate to one another through architectural materials, rather than buildings that have a similar appearance.

Vice-Chairman Straus expressed his opinion that the exposed brace frames at the corners are noticeably different from everything else involved in the project.

Ms. Weathers requested clarification with regard to the number of levels that would be included in the future parking structure.

Mr. Converse informed Ms. Weathers that the future parking structure would involve approximately four or five floors, observing that the ground floor would include retail use, with flats on the top floor.

PUBLIC TESTIMONY:

No member of the public testified with regard to this application.

Mr. Osterberg indicated that he has no further comments with regard to this application.

The public portion of the Public Hearing was closed.

Ms. Antonio **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** DR 2003-0019 – The Round Health Club Lofts Building Modifications Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated March 20, 2003, including Conditions of Approval Nos. 1 through 17.

CARRIED by the following roll call vote:

AYES:	Antonio, Shipley, Straus, and Weathers.
NAYS:	None.
ABSTAIN:	Doukas.
ABSENT:	Beighley and Nardoza.

Chairman Doukas returned to dais and reclaimed the gavel from Vice-Chairman Straus.

OLD BUSINESS:

CONTINUANCES:

A. BDR 2002-0180 – PROGRESS QUARRY TYPE 3 DESIGN REVIEW
(Continued from March 13, 2003)

The applicant requests approval for the construction of approximately 688 multi-family attached dwellings as part of a Planned Unit Development in a 110-acre mixed-use development with approximately 20 acres of land reserved for future commercial use. The dwellings are proposed to be a combination of town homes, carriage flats, and apartment buildings, including, but not limited to, associated improvements such as parking, carports, landscaping, and lighting. The proposal includes the realignment of SW Barrows Road, the construction of a recreation trail along the southern portion of the project site, and the construction of a lake. The development proposal is located on the reclaimed rock quarry, south of

SW Scholls Ferry Road, north of SW Barrows Road, between SW 154th Avenue and SW Horizon Boulevard, and is more specifically described as Tax Lots 200, 804, 1000, 1100, and 1200 on Washington County Assessor's Map 2S1-05. The five parcels total approximately 110 acres in size and include several zoning designations, as follows: 1) Town Center-Medium Density Residential (TC-MDR); 2) Town Center-High Density Residential (TC-HDR); Town Center-Mixed Use (TC-MU); and Urban Medium Density (R-4).

Chairman Doukas and Mr. Stewart disclosed that they serve on the Code Review Advisory Committee (CRAC) with the applicant, Fred Gast and that this would not affect their ability to make a fair and impartial decision with regard to this application.

Mr. Straus stated that although he had driven past the site, inclement weather had prevented him from exiting his car and walking through the site.

Chairman Doukas indicated that she had driven around the site.

Chairman Doukas explained that due to the nature and size of this project, the applicant would be allowed 30 minutes, rather than 20 minutes, for their presentation.

Associate Planner Liz Shotwell introduced herself and Associate Planner Sambo Kirkman and presented the Staff Report and briefly described the application for Type 3 Design Review approval associated with a proposal involving a 110-acre mixed-use development consisting of 688 multi-family residential dwelling units to be located throughout the site with approximately 20 acres of land reserved for future commercial use. She referred to a Memorandum, dated March 27, 2003, providing an update of the March 26, 2003 Planning Commission Hearing. She described the Planning Commission's actions on seven related applications on the previous evening, adding that the outstanding issues and continuance would not alter the design of the development with regard to the Design Review application. She pointed out that the applicant has provided all requested documentation, presented six separate materials boards addressing six different neighborhoods within the development and the colors board, adding that the application does meet applicable approval criteria. She referred to a Memorandum, dated March 25, 2003, with regard to Staff's Findings to the Applicant's March 24, 2003 Memorandum for Progress Quarry Planned Unit Development (BDR 2002-0180). Concluding, she recommended approval, and offered to respond to questions.

APPLICANT:

FRED GAST, representing the applicant, *Polygon Northwest*, expressed his appreciation to staff for their time and efforts on behalf of this project, adding that the neighborhood had also provided valuable input towards the enhancement of

this development. He discussed the challenges involved in balancing several different conflicting interests, including site constraints, developmental amenities, and economic realities. He clarified that other issues involved include density versus existing neighborhoods, open space versus minimum density, and roads versus resources, adding that it is crucial to attain a balance of all of these competing interests. He explained some of the design principals that guide development, including transitional density, sensitivity to neighbors through generous buffers and increased setbacks, and appropriate siting and orientation of buildings that is sensitive to both the neighbors and the site. He pointed out that the applicant believes in creating public open spaces that are both scenic and usable, and that resources are viewed and utilized as assets and amenities to the site, emphasizing that the enhancement of these resources adds value to the development. Observing that the applicant attempts to create buildings that establish a sense of place, he noted that these homes should be both attractive and functional. Noting that the applicant prefers to be part of the solution with regard to both traffic and infrastructure, he mentioned that a great deal of effort had gone into improvements to this site.

Mr. Gast pointed out that although the site involves a 110-acre piece of property, unfortunately only 50% of this property is usable. Emphasizing that the site includes what he referred to as the deepest hole in Washington County, if not the entire Metro area, he mentioned that while this feature presents a challenge, the applicant had addressed this hole in what he referred to as a very creative and feasible manner. Observing that a quarry had operated on this site for greater than 60 years, he explained that this involves an extensive amount of uncompacted fill that needs to be addressed and graded in order to remediate this property.

Referring to the Significant Tree Grove that is located on the property, Mr. Gast noted that this is one of the few amenities available on this site. He mentioned that while the degraded stream corridor includes multiple culverts, the applicant has determined that this feature also provides an opportunity to distinguish this community from others. Noting that the site includes a Town Center zoning district, he pointed out that this does not include a direct connection to the Town Center. He explained that while there had been several different ideas with regard to addressing this issue, the applicant had determined that it would be more feasible to relocate SW Barrows Road, rather than the creek. He pointed out that the challenge had been to balance the site and literally transform this ugly, barren, and bleak landscape of a site into what he described as a centerpiece development. Observing that this requires both a great deal of effort and lofty and ambitious goals, he emphasized that the applicant possesses a lofty and ambitious plan, adding that their experience in developing master plan communities is extensive.

MIKE MILLER, representing *MGH Associates*, on behalf of the applicant, *Polygon Northwest*, explained that the applicant would demonstrate how the site factors, Town Center principles, neighborhood concerns, and the thought processes of the applicant team has shaped this project to illustrate how this

proposal has met or exceeded all applicable Design Review criteria. Observing that the applicant has attempted to create a balance of urban and green spaces, he explained that this involves taking what he referred to as an extremely difficult and degraded site and creating a viable Town Center.

Mr. Miller pointed out that the majority of the individuals in this room are consultants for the applicant, rather than concerned neighbors, emphasizing that numerous Neighborhood Meetings have taken place in an effort to address and resolve issues and concerns. He mentioned that the site involves numerous constraints, adding that the applicant had made very attempt to turn these disadvantages into opportunity. He pointed out that the major constraint involves the hole that remains following the removal of the mountain, noting that the obvious opportunity is to turn this hole into a 12-acre lake. Observing that the applicant has proposed to preserve 2/3 of the trees in this area, he mentioned that these trees would provide an asset to the proposed community. He discussed the creek, which has been described as an obstacle to development, explaining that the applicant intends to convert this area into a linear park. He noted that the easement provides an opportunity to provide some regional trail connections that would benefit both the City of Beaverton and the City of Tigard.

Mr. Miller referred to a map of the existing site, observing that only about 2/3 of the 104 acres are actually developable, adding that a great deal of this developable land involves very hilly terrain. He discussed the concept of moving the road to the town, rather than the town to the road, noting that this had involved a great deal of planning. He explained that the advantages of locating the Town Center in the center of the project means that 2/3 of the units are very accessible because they are actually located within 800 feet of the Town Center, adding that this also allows the Town Center and the lake to be combined and allows for the preservation of this creek and tree resources in their original locations.

Mr. Miller mentioned that the 104 acres includes approximately 38 acres of open space, 2 acres of tree preservation, 20 acres of lake, 14 acres of linear park, and the remainder in the easement. He explained that the 17 acres of infrastructure and 19 acres of commercial property leaves the developer only about 30 acres of residential property. He explained that the proposal provides for five 24-unit buildings at one location, including detached parking of 1.5 spaces per unit. He mentioned that the buildings have been located adjacent to the street, as opposed to locating the parking between the buildings, in order to comply with the principals of Town Center. He mentioned that other areas would include 144 units and 60 units, including carriage units, noting that this area would provide approximately 1.9 to 2.0 parking spaces per unit. Observing that the remaining housing units are town homes, he pointed out that these units include three types of 3-plex, 4-plex, and 5-plex units.

Mr. Miller explained that the developer intends to utilize what he referred to as a neighborhood concept for each neighborhood, observing that the entry focuses on

a green space. He pointed out that within the green space would be a neighborhood connection and a pedestrian pass through, emphasizing that this would serve to encourage socialization between neighborhoods. Pointing out that there had been a great deal of discussion with the various neighborhood groups, he expressed his opinion that the majority of these groups had felt comfortable enough that they had not found it necessary to attend this hearing. He briefly described several adjustments that had been made to the plans in an effort to address concerns expressed by the residents of several neighborhoods. He provided illustrations of the proposed streetscape, emphasizing that a great deal of effort had been involved in an attempt to make this area pedestrian-friendly. He clarified that the streetscape is basically the combination of streets, the buildings that orient to these streets, and the landscape, adding that the developer has reviewed all of these issues extensively.

Mr. Miller discussed the various landscape features, emphasizing that the largest landscape feature is the lake and the linear park, and pointed out that all of the design features and amenities have not yet been determined. He explained that anyone entering into the community would first see what he referred to as one of two gateway parks, observing that these parks would be located to the east and the west of the site. Observing that the developer is open to suggestions for new names for this community, he mentioned that they do not feel that Progress Quarry is an appropriate name for a residential Town Center. Referring to the walls and fences, he explained that the proposal essentially involves two types of fences, those that protect the resources from man and those that protect man from the resources. Pointing out that there are safety and liability concerns involved, he mentioned that the lake area would be fenced, including a series of pilasters and black anodized railings with a wrought iron appearance. He mentioned that the developer would be planting 12,500 new trees, emphasizing that this is 25 times the amount of those that would be removed, and explained that greater than 2/3 of the healthy existing trees would be preserved. He noted that the proposal includes numerous project trees, adding that lawn would only be utilized where it is practical and that there is a great deal of emphasis on the restoration of the wetlands. Concluding, he expressed his opinion that the applicant has achieved the goal of creating a Town Center from an extremely degraded site, adding that they have also turned constraints into opportunities, a hole into a lake, an easement into a trail linkage, and slopes into terraced housing, adding that this proposal implements City and Metro goals of achieving a true balance of urban and green spaces.

Mr. Gast stated that he would attempt to provide a 45-second architectural presentation, emphasizing that *Polygon Northwest* has come a long way with regard to architecture, specifically in the areas of colors, schemes, buildings, designs, textures, and materials. Concluding, he referred to the color boards, emphasizing that the goal is to provide greater vibrancy while enhancing the street scene, and offered to respond to questions.

Ms. Shipley referred to the pedestrian circulation from the area of the carriage flats to the commercial area, and questioned how busy the road is and whether traffic lights would be available for crossing this road.

Mr. Gast explained that while SW Barrows Road is obviously a busy street, a protected route would be provided for pedestrians, adding that the sidewalks would be wide and that the road would include a pedestrian refuge. He explained that a proposed traffic signal at SW Menlor Lane has not yet been approved, observing that this would be submitted to the Planning Commission on April 2, 2003.

7:58 p.m. – Mr. Osterberg left.

Ms. Shipley requested clarification with regard to the amount of traffic on SW Horizon Road.

Mr. Gast pointed out that while SW Horizon Road is actually designated as a collector street it would eventually match up to SW Scholls Ferry Road and become a major transportation link.

Ms. Doukas stated that she would like further information with regard to lake, specifically how it would function, including the selection of the water elevation and how this water will be put into the lake and maintained. She mentioned that she is concerned with the slope leading into the lake, expressing her opinion that the level could be raised in an effort to provide greater accessibility.

Observing that the water level of this lake is actually much less than our elevation of the 210 foot range, Mr. Gast pointed out that the natural level is 170 feet. He explained that once the level of the lake is raised, there would still be an elevation difference of 70 feet on top, while the difference on the bottom is only about 15 feet. He noted that the idea is to create a landscaped area surrounding the lake, adding that this is very low maintenance and consists of trees and shrubs. Emphasizing that the cost of building this lake would be approximately \$1 Million, he expressed his opinion that it is worthwhile to create this substantial centerpiece to the development. Noting that it would be necessary to bring up the bottom elevation of the lake, he pointed out that this would involve a natural clay liner, rather than a synthetic liner, adding that it would be necessary to provide extensive landscaping around the lake. He discussed concern with where the water would come from, observing that several options had been considered, including an on-site well. He explained that the solution had been to enhance an existing well and contribute additional funds to provide a permanent source of water, adding that the developer intends to establish an endowment for either THPRD or the Home Owner's Association for the purpose of paying the water bill over at least the next 40 years.

Ms. Shipley mentioned the soils surrounding the lake, adding that she is concerned with regard to measures that would be taken for the planting.

Mr. Gast advised Ms. Shipley that these issues would be addressed by the landscape architect.

JOE PERCIVAL, landscape architect representing *Percival and Shapiro Landscape Architects* stated that while the slopes are extremely steep, the soil is there, adding that it has a fairly good, silky content. He explained that irrigation would occur following the planting, adding that low precipitation rate sprinklers would be utilized so that everything would not be washed out, adding that he is very confident that the necessary planting could be achieved with very little or no erosion.

Mr. Straus requested clarification with regard to the lake level relative to the stream bed level for Summer Creek.

Mr. Gast stated that the finished lake level is higher than the bottom of the creek.

Mr. Straus questioned the necessity of flushing out or discharging from the lake.

Observing that there is an overflow for the lake, Mr. Gast explained that any significant storm event would allow the water to be released out into the creek, adding that this would also be utilized to provide for some of the storm detention.

Mr. Straus suggested the possibility of utilizing water from the lake, rather than potable water, for irrigation of the site.

Mr. Percival stated that this has been accomplished on other projects, noting that the water is withdrawn from the upper level of the lake to provide the hotter, less oxygenated water for irrigation. He explained that the same water that would be pulled out of a potable system which would go to irrigation then flows into the lake, adding that this water is colder and cleaner and retains the oxygen better.

Mr. Straus referred to the lake at Murrayhill, observing that this works well because it is in a commercial area with residences located some distance from the lake. He expressed concern with the residential units to be located in the area of the lake, specifically with regard to children and questioned whether there has been any consideration for the utilization of some portion of the lake in order to discourage unauthorized and inappropriate use of the lake in other areas.

Mr. Gast advised Mr. Straus that this issue has been discussed, observing that while it would be difficult to make certain that no one climbs the fences, the developer has attempted to create a feature with the addition of a plaza at the water's edge.

Emphasizing that Mr. Gast is thinking as an adult and needs to think like a child, Mr. Straus pointed out that there has to be some other recreational use such as swimming or boating,

Observing that he does not disagree with Mr. Straus' vision, Mr. Gast pointed out that while the developer is working on this issue, in the event that THPRD does not participate and the only option for maintenance becomes the liability of the Home Owner's Association, it would be extremely difficult to provide a swimming hole.

Mr. Straus pointed out that it does not appear that any of the neighborhoods or communities has any type of community centers or indoor activity or recreational facilities.

Mr. Gast explained that there are no clubhouses or similar facilities, emphasizing that while such a facility is a major liability and provides limited uses, the associated Home Owner's Association fees become extremely prohibitive.

Mr. Percival suggested that it might be necessary to consider other infrastructure systems that are provided for recreational purposes, observing that while not everyone would run or swim on a regular basis, walking and meeting with neighbors in the area would be more likely to occur.

Mr. Straus referred to the proposed commercial development straddling SW Barrows Road, and questioned whether any pedestrian connections have been proposed either under or over this street.

Emphasizing that this is a Town Center, Mr. Gast advised Mr. Straus that these issues have been considered, adding that the applicant would not control any aspect of the commercial development, and explained that these issues would be retained by the property owner.

Chairman Doukas mentioned that while she is appreciative of how all of the components fit together in this overall development, she is extremely frustrated that this is only one application. Emphasizing that it is the responsibility of the Board of Design Review to consider all of the details pertaining to trash, lighting, and landscaping, she pointed out that it is not effective to review all of these details at this scale. She mentioned that the packet includes 34 Conditions of Approval and weighs approximately 40 pounds, expressing her opinion that it is unreasonable to expect members of the Board to attempt to digest this size of an application with the usual level of detail.

PUBLIC TESTIMONY:

No member of the public testified with regard to this application.

Ms. Shotwell stated that while the Board had covered many of staff's comments, the applicant had discussed the access way between Area C as well as the pier and dock off of Barrows Road in their earlier presentation, adding that these features are actually under review with the Planned Unit Development (PUD) and would involve a Design Review either administratively or at the hearing level at some point in the future.

Chairman Doukas mentioned issues with regard to the ownership of SW Barrows Road and the split jurisdictional issues ownership of Barrows and questioned whether this has been resolved.

Ms. Shotwell explained that the applicant is working with the City of Beaverton and Washington County with regard to a transfer of jurisdiction of the existing right-of-way, adding that this is addressed through Conditions of Approval pertaining to both the Subdivision and the PUD.

8:27 p.m. – Mr. Osterberg returned.

Mr. Straus questioned whether the City of Tigard had assumed responsibility for the southern half of the abandoned SW Barrows Road right-of-way.

Ms. Shotwell stated that this would occur if the right-of-way were abandoned, emphasizing that this right of way would be retained with a revised alignment, noting that this is addressed through Condition of Approval No. 23.

The public portion of the Public Hearing was closed.

Mr. Straus expressed his support of Chairman Doukas' comments with regard to volume of material within only one application, adding that he would be hesitant to accept such an application from any other developer without the track record exhibited by *Polygon Northwest*. He pointed out that he would appreciate efforts with regard to working with THPRD to provide some community-oriented facilities incorporated into the green space.

Chairman Doukas emphasized that regardless of the reputation of the applicant, she would not be willing to approve this proposal if she did not believe that applicable approval criteria had been met. Pointing out that she truly believes that this has been demonstrated, she expressed her opinion that the proposed Conditions of Approval are general enough and include sufficient trigger mechanisms.

Agreeing that this proposal had involved a huge package, Ms. Shipley stated that her concern the neighbors and the public had been alleviated by the fact that not a great many members of the public are in attendance.

Mr. Straus **MOVED** and Ms. Shipley **SECONDED** a motion to **APPROVE** BDR 2002-0180 – Progress Quarry Type 3 Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated March 19, 2003, including Conditions of Approval Nos. 1 through 34.

Ms. Shotwell interjected that additional Conditions of Approval are included in the Supplemental Memorandums, as well as a revision to Condition of Approval No. 27.

Mr. Straus **MOVED** and Ms. Shipley **SECONDED** a motion to **AMEND** the motion to include staff's recommendation with regard to the Conditions of Approval, specifically the revision to Condition of Approval No. 27, as indicated on Memorandum dated March 25, 2003, adding Tree 5671 and deleting Tree 5611, and additional Condition of Approval No. 35, as indicated on Memorandum (Summary of Issues for BDR 2002-0180) dated March 27, 2003, as follows:

35. Prior to building permit issuance, the application shall submit elevation drawings for the rear of the buildings within Areas C and G and the buildings that contain three units located in Areas A and B.

Motion **CARRIED** by the following vote:

AYES: Straus, Shipley, Antonio, Weathers, and Doukas.

NAYS: None.

ABSTAIN: None.

ABSENT: Beighley and Nardozza.

MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:40 p.m.